

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

Keith Richard Eskin Jr. 164972

(Enter above the full name of the plaintiff(s), including prisoner number, in this action. If you cannot list all plaintiffs in the space provided, please write "see attached" and list all names on an additional page.)

v.

Nurse Jessica Stage,
VitalCore

FILED - GR

September 18, 2024 10:42 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: KB SCANNED BY: JW / 9-18

1:24-cv-973

Robert J. Jonker - U.S. District Judge
Phillip J. Green - Magistrate Judge

(Enter above the full name of the defendant(s) in this action. If you cannot list all defendants in the space provided, please write "see attached" and list all names on an additional page.)

COMPLAINT
(Print Clearly)

I. Previous Lawsuits

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$405.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

2. Is the action still pending? Yes ☐ No ☐

a. If your answer was no, state precisely how the action was resolved: _____

3. Did you appeal the decision? Yes ☐ No ☐

4. Is the appeal still pending? Yes ☐ No ☐

a. If not pending, what was the decision on appeal? _____

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐

a. If so, explain: _____

II. Parties**A. Plaintiff(s)**

Enter your name, place of confinement, address, and place of confinement during the events described in the complaint in the blanks below. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Keith Richard Eskin Jr.

Place of Present Confinement Ingham County Justice Complex Jail Facility

Address 640 N. Cedar St. Mason, MI 48854

Place of Confinement During Events Described in Complaint Ingham County Justice Complex Jail Facility

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. Provide the same information for each additional defendant. If there are more than six defendants attach extra sheets as necessary.

Name of Defendant #1 Jessica Stag

Position or Title Nurse

Place of Employment Ingham County Justice Complex Jail Facility

Address 640 N. Cedar St. Mason, MI 48854

Official and/or personal capacity? Both

Name of Defendant #2 VitalCore

Position or Title Business

Place of Employment Ingham County Justice Complex Jail Facility

Address 640 N. Cedar St. Mason, MI 48854

Official and/or personal capacity? Official

Name of Defendant #3 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

Name of Defendant #4 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

Name of Defendant #5 _____

Position or Title _____

Place of Employment _____

Address _____

Official and/or personal capacity? _____

III. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. **Do not include unrelated claims.** Use as much space as you need. Attach extra sheets if necessary.

On August 17th, 2024 at around 10:50pm, Jessica Stage, a nurse who works at the Ingham County Jail employed through VitalCore, informed me (Keith Eskin) that she spoke with another inmate in the same facility as me, and asked this other inmate about my health. Jessica Stage informed me that she asked the other inmate multiple questions about my weight throughout my life, and if I had any health conditions that keeps me from gaining any weight. From my understanding, this is a violation of my HIPAA rights. VitalCore is employed through the Ingham County Jail. VitalCore is involved, however, because they employed Ms. Jessica Stage. And she was currently employed by VitalCore when this incident occurred in the Ingham County Jail. VitalCore has policies and rules in place that protect my HIPAA rights, and they were violated by one of their employees. I (Keith Eskin) have multiple witnesses, including an officer in this facility, and the inmate that was questioned by Ms. Jessica Stage. The officer is Deputy Elmsburg, and the inmate who was questioned is Mrs. Edgieria Blackmon. Mrs. Edgieria Blackmon was currently released from the Ingham County Jail on August 17th, 2024, and I spoke with her and asked her was she questioned by Ms. Jessica Stage. Mrs. Edgieria Blackmon informed me that she was indeed questioned by Ms. Jessica Stage in this facility, and that Ms. Jessica Stage questioned her about my health conditions.

IV. Relief

State briefly and precisely what you want the court to do for you.

I would like to be financially compensated \$80,000 a piece from each defendant.

V. Notice to Plaintiff Regarding Consent

In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, you are hereby notified that the United States magistrate judges of this district court may, upon your consent, conduct any or all proceedings in this case, including a jury trial and entry of a final judgment. If you consent, any appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Magistrate judges have greater flexibility in their schedules than district judges, who have heavy criminal caseloads that take priority over civil trials. Accordingly, the magistrate judges are generally able to schedule prisoner civil rights cases for jury trial much sooner, and they are able to provide firm trial dates. Magistrate judges are experienced trial judges who handle a great number of prisoner civil rights cases.

Your decision to consent to the dispositive jurisdiction of a United States magistrate is entirely voluntary. If you do not consent to a magistrate judge, the case will be randomly assigned to a district judge. The magistrate judge already assigned to this case would continue to decide all pretrial matters and would handle all dispositive motions by report and recommendation.

Please check **ONE** box below to indicate whether you voluntarily consent to proceed with a United States magistrate judge or if you would instead prefer that the case be assigned to a district judge.

☐ I hereby voluntarily consent to the United States magistrate judge conducting all proceedings in this case, including entry of a final judgment and all post-judgment matters.

☒ I request that this case be assigned to a district judge.

8/19/2024
Date

Keth Eskridge
Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Inmate Name: Keith Eskin Jr.
Inmate Number 164948
C/O Mail Processing Center
P.O. Box 9175
Seminole, FL 33775-9175

Inmate



U.S. District Court
399 Federal Building
110 Michigan St., NW
Grand Rapids, MI 49503

